

Zoning Report

Site Information

Address	3025 OLENTANGY RIVER RD, COLUMBUS, OH
Mailing Address	4564 E 71ST ST CLEVELAND OH 44105-5634
Owner	SHOPPES ON OLENTANGY II LLC
Parcel Number	010285386
In Columbus?	Yes
County	FRANKLIN

Zoning Information

Zoning	1357, Commercial, C4, 1/12/1966, H-35
Historic District	None
Council Variance	None
Board of Zoning Adjustment (BZA) Variance	None
Commercial Overlay	OLENTANGY RIVER ROAD RCO
Planning Overlay	None
Graphics Variance	None
Area Commission	None
Historic Site	No
Flood Zone	Out
Airport Overlay Environs	None

Pending Zoning Action

Zoning	None
Board of Zoning Adjustment (BZA) Variance	None
Council Variance	None
Graphics Variance	None

THE CITY OF
COLUMBUS

Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov

OFFICE USE ONLY

Application Number: BZA17-021 Date Received: 21 Feb. 2017
Application Accepted by: [Signature] Fee: \$1900
Commission/Civic: N/A
Existing Zoning: _____
Comments: _____

TYPE(S) OF ACTION REQUESTED (Check all that apply):

☒ Variance ☐ Special Permit

Indicate what the proposal is and list applicable code sections:

To reduce the required parking spaces from 159 to 138, as described in Section 3312.49 - Min. Number of Parking Spaces Req'd. City of Columbus Zoning Code.

LOCATION

Certified Address: 2995 through 3025 Olentangy River Road City: Columbus Zip: 43202

Parcel Number (only one required): 010-285386-00

APPLICANT (If different from Owner):

Applicant Name: Shoppes on Olentangy II LLC Phone Number: 614-225-4380 Ext.: _____

Address: 1480 Dublin Road City/State: Columbus, Ohio Zip: 43215

Email Address: emorton@krgre.com Fax Number: _____

PROPERTY OWNER(S) ☐ Check here if listing additional property owners on a separate page

Name: Shoppes on Olentangy II LLC Phone Number: 614.781.1420 Ext.: _____

Address: 4564 E. 71st Street City/State: Cleveland, Ohio Zip: 44105

Email Address: pauld@fillmoreproperty.com Fax Number: 614-433-9685

ATTORNEY / AGENT (Check one if applicable): ☐ Attorney ☒ Agent

Name: JL Bender, Inc. Phone Number: 614-488-8814 Ext.: _____

Address: 3040 Riverside Drive, Suite 132 City/State: Columbus Zip: 43221

Email Address: jbender@jlbender.com Fax Number: 614-488-7224

SIGNATURES (All signatures must be provided and signed in blue ink)

APPLICANT SIGNATURE: [Signature]

PROPERTY OWNER SIGNATURE: [Signature]

ATTORNEY / AGENT SIGNATURE: [Signature]

PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer

3025 OLENTANGY RIVER ROAD

THE CITY OF
COLUMBUS

COLUMBUS, OHIO 43224

DEPARTMENT OF BUILDING
AND ZONING SERVICES

Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov**AFFIDAVIT**STATE OF OHIO
COUNTY OF FRANKLINBeing first duly cautioned and sworn (1) NAME ERIC MORTON / SHOPPES ON OLENTANGY II LLC
of (1) MAILING ADDRESS 1480 DUBLIN ROAD, COLUMBUS, OHIO 43215deposes and states that (he/she) is the applicant, agent, or duly authorized attorney for same and the following is a list of the
name(s) and mailing address(es) of all the owners of record of the property located at(2) per ADDRESS CARD FOR PROPERTY 2995 THRU 3025 OLENTANGY RIVER ROAD COL OH 43202
for which application for a rezoning, variance, special permit or graphics plan was filed with the Department of Building and
Zoning Services, on (3) _____

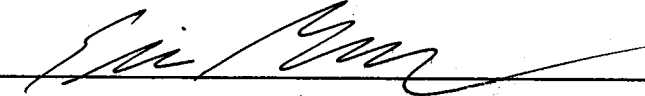
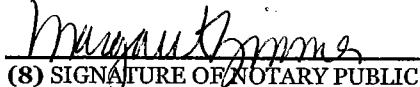
(THIS LINE TO BE FILLED OUT BY CITY STAFF)

SUBJECT PROPERTY OWNERS NAME
AND MAILING ADDRESS(4) PAUL DIGIORGIO
SHOPPES ON OLENTANGY II LLC
4364 EAST 71ST STREET
CLEVELAND, OHIO 44105APPLICANT'S NAME AND PHONE #
(same as listed on front application)ERIC MORTON / SHOPPES ON OLENTANGY II LLC
(614) 225-4380AREA COMMISSION OR CIVIC GROUP
AREA COMMISSION ZONING CHAIR
OR CONTACT PERSON AND ADDRESS(5) NONEand that the following is a list of the names and complete mailing addresses, including zip codes, as shown on the County
Auditor's Current Tax List or the County Treasurer's Mailing List, of all the owners of record of property within 125
feet of the exterior boundaries of the property for which the application was filed, and all of the owners of any property within 125
feet of the applicant's or owner's property in the event the applicant or the property owner owns the property contiguous to the subject
property:

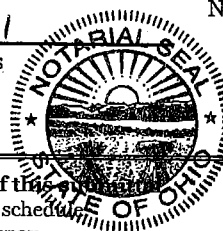
(6) PROPERTY OWNER NAME	(6a) PROPERTY ADDRESS	(6b) PROPERTY OWNER MAILING ADDRESS
<u>FAIRFIELD INN & SUITES</u>	<u>3031 OLENTANGY RIVER ROAD</u>	<u>200 W. WILSON BRIDGE, WORTHING, OH 43085</u>
<u>UNIVERSITY VILLAGE</u>	<u>505 HARLEY DRIVE</u>	<u>429 SANTA MONICA BLVD. ST. MONICA, CA</u>
<u>UNIV. SHOPPING CENTER</u>	<u>2855 OLENTANGY RIVER ROAD</u>	<u>10 N. HIGH ST COL. OH. 43215/ST 401</u>
<u>PNC BANK</u>	<u>2941 OLENTANGY RIVER ROAD</u>	<u>130 S. JEFFERSON ST. CHICAGO, IL 60601</u>
<u>UNION CEMETERY</u>	<u>3378 OLENTANGY RIVER ROAD</u>	<u>3349 OLENTANGY RIVER RD COL OH 432</u>

☒ (7) Check here if listing additional property owners on a separate page.

(8) SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 21st day of February, in the year 2017
(8) SIGNATURE OF NOTARY PUBLIC10-26-2021
My Commission Expires

Notary Seal Here

Margaret Zimmer
Notary Public, State of Ohio
Commission Expires 10-26-2021PLEASE NOTE: Incomplete information will result in the rejection of this application.
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer

BZA17-021**STAPLES**Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160
label size 1" x 2 5/8" compatible with Avery®5160/8160**3025 OLENTANGY RIVER RD**

Olentangy Suites LLC
200 W. Wilson Bridge Road
Worthington, Ohio 43085

University Village SPE, LLC
429 Santa Monica Blvd., #600
Santa Monica, CA 90401

Prospect Wango LLC
2855-2945 Olentangy River Rd.
10 N. High Street, Suite 401
Columbus, Ohio 43215

Union Cemetery Assn.
3349 Olentangy River Road
Columbus, Ohio 43202

Ohio National Bank of Columbus
National Tax Search LLC
130 S. Jefferson Street
Chicago, Illinois 60601-5201

Eric Morton
Shoppes on Olentangy
1480 Dublin Road
Columbus, Ohio 43215

Jim Bender, AIA, President
JL Bender, Inc.
3040 Riverside Drive #132
Columbus, Ohio 43221

Shoppes on Olentangy II LLC
Attn: Paul DiGiorio
4564 E. 71st Street
Cleveland, Ohio 44105

STAPLESlabel size 1" x 2 5/8" compatible with Avery®5160/8160
Étiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

Board of Zoning Adjustment Application

757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov**STATEMENT OF HARDSHIP**

APPLICATION #

3307.09 Variances by Board.

- A. The Board of Zoning Adjustment shall have the power, upon application, to grant variances from the provisions and requirements of this Zoning Code (except for those under the jurisdiction of the Graphics Commission and except for use variances under the jurisdiction of the Council). No variance shall be granted unless the Board finds that all of the following facts and conditions exist:
1. Special circumstances or conditions apply to the subject property that do not apply, generally, to other properties in the same zoning district.
 2. The special circumstances or conditions are not the result of the actions of the property owner or applicant.
 3. The special circumstances or conditions make it necessary that a variance be granted to preserve a substantial property right of the applicant which is possessed by owners of other property in the same zoning district.
 4. The grant of a variance will not be injurious to neighboring properties and will not be contrary to the public interest or the intent and purpose of this Zoning Code.
- B. In granting a variance, the Board may impose such requirements and conditions regarding the location, character, and other features of the proposed uses or structures as the Board deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard public safety and welfare.
- C. Nothing in this section shall be construed as authorizing the Board to affect changes in the Zoning Map or to add to the uses permitted in any district.

I have read Section 3307.09, Variances by Board, and believe my application for relief from the requirements of the Zoning Code satisfies the four criteria for a variance in the following ways:

The property of the Shoppes on Olentangy is adjacent to an existing hotel with a substantial parking area that has spaces in excess of that required by the Columbus Zoning Code. The zoning and approval

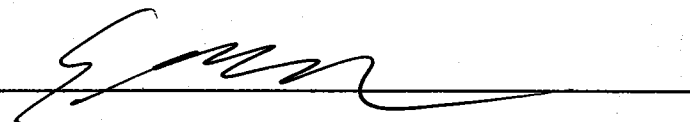
to construct a retail center gave our property the right to use a portion of the hotel parking in a shared easement relationship and the retail center was planned on that basis. (A copy of the easement is included with this submittal.) In addition to the easement, a note is also attached that indicates the aforementioned hotel has 163 guest rooms and needs one additional loading space for a total of 164

required and their layout provides 184 spaces, so 20 were to be available for sharing through the easement relationship. Our Shoppes on Olentangy Site Compliance Plan shows provisions for 127

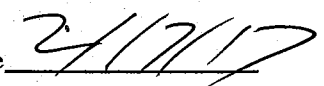
parking spaces for the center which has 15,291 gross sq. ft. and as leases were developed more food service facilities were added which added to the original parking requirements.

Continued on attached page

Signature of Applicant




Date



PLEASE NOTE: Incomplete information will result in the rejection of this submittal.

Applications must be submitted by appointment. Call 614-645-4522 to schedule.

Please make checks payable to the Columbus City Treasurer



JL Bender, Inc Architects And Planners, A.I.A.
3040 Riverside Dr. Suite 132 Columbus, Ohio 43221
P.614/488.8814 F.614/488.7224 E.info@JLBender.com

Our parking was as follows:

Skyline Chili w/ drive thru (2,520 sq. ft.)	15
The Uniform Clothing Store (2,893 sq. ft.)	12
Hy Asian Cuisine and Patio (4,358 sq. ft.)	55
Denny's Restaurant (4,200 sq. ft.)	56
Proposed Wingstop Restaurant (1,600 sq. ft.)	21

Presently The Shoppes on Olentangy has 127 spaces and currently, excluding the Wingstop Restaurant, requires 138 spaces, which was approved in concert with the hotel parking easement. As Wingstop was added it was assumed the Shoppes could continue to count the needed spaces from the hotel easement. On September 9, 2016, after the Wingstop deal, a directive was issued by Mr. Chris Presutti, the Chief Zoning Official of the City of Columbus, that the easement was not to be counted for the Wingstop parking and a variance would be required to allow the inclusion of the Wingstop in the center. This situation presented the Shoppes Center owners with an unexpected hardship and to properly allow Wingstop to operate in the center, we hereby request that a parking reduction for the center from 159 spaces to 138 spaces, which will permit Wingstop to operate in conformance to the existing conditions. As support for the variance, it should be noted that two of the restaurants in the Center, Skyline Chili and Wingstop, have substantial drive-thru and carry-out operations which will significantly reduce demand for surface parking spaces and those that eat in have much shorter than average time durations. We hereby request that our variance be granted based on the above-described significant hardship.

THE CITY OF
COLUMBUS

PLANNING, ZONING, AND PUBLIC WORKS

PLANNING, ZONING, AND PUBLIC WORKS

Board of Zoning Adjustment Application757 Carolyn Avenue, Columbus, Ohio 43224
Phone: 614-645-7433 • www.bzs.columbus.gov**PROJECT DISCLOSURE STATEMENT**

Parties having a 5% or more interest in the project that is the subject of this application.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

APPLICATION # _____

STATE OF OHIO
COUNTY OF FRANKLINBeing first duly cautioned and sworn (NAME) ERIC MORTON / SHOPPES ON OLENTANGY II LLC
of (COMPLETE ADDRESS) 1480 DUBLIN ROAD, COLUMBUS, OHIO 43215

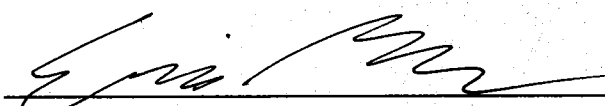
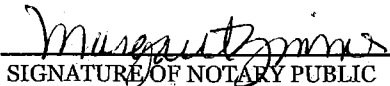
deposes and states that (he/she) is the APPLICANT, AGENT, OR DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application and their mailing addresses:

NAME

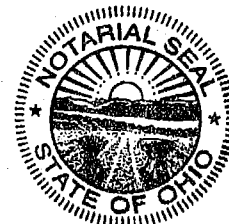
COMPLETE MAILING ADDRESS

PAUL DiGIORGIO SHOPPES ON OLENTANGY
4564 E. 71ST STREET
CLEVELAND, OHIO 44105

SIGNATURE OF AFFIANT

Sworn to before me and signed in my presence this 21st day of February, in the year 2017
SIGNATURE OF NOTARY PUBLIC10-26-2021
My Commission Expires

Notary Seal Here

Margaret Zimmer
Notary Public, State of Ohio
Commission Expires 10-26-2021**PLEASE NOTE: Incomplete information will result in the rejection of this submittal.**
Applications must be submitted by appointment. Call 614-645-4522 to schedule.
Please make checks payable to the Columbus City Treasurer